

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MANUEL F. MARQUES,

Plaintiff,

vs.

DWIGHT NEVEN,

Defendant.

Case No. 3:10-cv-00222-ECR-RAM

ORDER

On June 14, 2011, the Magistrate Judge filed a Report and Recommendation (#12) recommending that Defendant's Motion to Dismiss (#9) be granted.


Plaintiff has filed Objections (#13) to the Report and Recommendation (#12). Defendant's filed his Response to Plaintiff's Objections (#14) on July 1, 2011. The objections do not challenge any of the salient points in the Report and Recommendation but rather raise new Eighth Amendment claims. The Eighth Amendment claims should be made the subject of a separate action. We do not judge the validity of such claims but Plaintiff may wish to file a separate action on the Eighth Amendment claims.

The Report and Recommendation of the Magistrate Judge is well taken and is APPROVED and ADOPTED. Therefore, IT IS ORDERED that

1 Defendant's Motion to Dismiss (#9) is GRANTED.

2 The Clerk shall enter judgment accordingly.

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4 Dated this_12th_ day of July 2011.

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6 EDWARD C. REED, JR.
7 United States District Judge
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